

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division

CARL LEE HUFF,

Plaintiff,

v.

Civil Action No. 3:15CV661

EDDIE PEARSON, et al.,

Defendants.

MEMORANDUM OPINION

By Memorandum Order entered on November 18, 2015, the Court conditionally docketed the action. Carl Lee Huff requested leave to proceed in forma pauperis. By Memorandum Order entered on December 22, 2015, the Court directed Huff to pay an initial partial filing fee of \$.15 or state under penalty of perjury that he did not have sufficient assets to pay such a fee within eleven (11) days of the date of entry thereof. See 28 U.S.C. § 1915(b)(1). Huff has neither paid the initial partial filing fee nor averred that he cannot pay such a fee. Therefore, Huff is not entitled to proceed in forma pauperis. Huff's disregard of the Court's directives warrants dismissal of the action. Accordingly, the action will be dismissed without prejudice.

Should Huff desire to appeal, a written notice of appeal must be filed with the Clerk of the Court within thirty (30) days of the date of entry hereof. Failure to file a notice of

appeal within that period may result in the loss of the right to appeal.

The Clerk is directed to send a copy of the Memorandum Opinion to Huff.

/s/ *REP*

Robert E. Payne
Senior United States District Judge

Date: January 21, 2016
Richmond, Virginia